

SAFE DRINKING WATER ACT (SDWA)

R6-9-35. Issuance of Administrative Orders Under Section 1423(c)

1. AUTHORITY. Pursuant to Section 1423(c) of the Safe Drinking Water Act (SDWA) the authority to:

- a. Conduct hearings and perform related duties following issuance of proposed administrative orders;
- b. Issue subpoenas;
- c. Negotiate consent agreements between the Agency and respondents; and,
- d. Sign consent agreements between the Agency and respondents.

2. TO WHOM DELEGATED. The Director, Compliance Assurance and Enforcement Division.

3. LIMITATIONS.

a. The Director, Compliance Assurance and Enforcement Division may exercise the above authorities only for those cases initiated by the Regions.

b. Authority 1.a may only be exercised by a delegated official identified as the presiding officer under the UIC program.

c. The authority to issue, withdraw or amend orders after hearings have been requested is limited to the Regional Administrator.

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

a. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.

b. Section 1423(c)(3)(A) and (B) of the SDWA.

c. Section 1423(c)(7) and (8) of the SDWA.

d. 40 CFR Parts 144, 146, and 147.

e. Guidance on UIC Administrative Order Procedures.

Delegation of Authority from the
Regional Administration